

REMARKS

This Response is submitted in reply to the Final Office Action mailed on August 2, 2006. Claims 1-35 are pending in the patent application. A Request for Continued Examination (RCE) has been submitted with this Response. No new matter has been added by this Response.

Claims 1, 2, 4-14, 16-20, 22 and 24-35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,960,411 to Hartman et al. ("*Hartman*"), in view of Web pages from the Web site www.airnet.com ("*Airnet*") and in further view of U.S. Patent No. 6,519,627 to Dan et al. ("*Dan*"). Applicants respectfully submit that the combination of *Hartman*, *Airnet* and *Dan* does not disclose, teach or suggest all of the elements of claims 1-35 for the following reasons.

Claim 1 is directed to a method of permitting a user to order merchandise on their computer where a server sends a Web page and an auxiliary file containing descriptive data related to a plurality of promotional items of merchandise to the user's computer. The method includes receiving the Web page and auxiliary file at the computer to produce a graphical depiction of the promotional items of merchandise on a graphical user interface on the computer. The method also includes displaying descriptive data related to at least one of the promotional items in response to a request from the user. Specifically, the descriptive data is read from the auxiliary file without accessing or querying the server and is displayed with the graphical depiction on the graphical user interface. Thus, the user only has to view of one Web page to see the promotional items and the descriptive data related to each item. When the user selects a particular promotional item, the method includes sending the descriptive data related to that promotional item to a selection panel which is displayed with the graphical depiction on the graphical user interface. The descriptive data is sent when the user's computer reads the auxiliary file to obtain the descriptive data without accessing and querying the server for that

data. The claimed invention therefore enables the user to quickly select and view promotional items of merchandise and place certain of those items in a selection panel while the user continues to view other promotional items. In particular, the claimed invention is able to do this quickly because the user's computer interacts with the auxiliary file which is received at the user's computer instead of a Web server which is remote or not local to the user's computer.

The Examiner states that *Hartman* and Claim 1 both disclose methods including servers which send a Web page and an auxiliary file to a user's computer when the auxiliary file includes descriptive data related to promotional items contained on the Web page. Specifically, the Examiner states that *Hartman* sends a Web page in response to a customer's demand for a product and that the Web page includes several sections such as the "101 Summary Description of Item" section which are read by the Web page without accessing or querying the server. Applicants disagree.

Hartman does not disclose or suggest sending a Web page and an auxiliary file to a user's computer based on a request by the user. The sections of the Web page such as the "101 Summary Description of Item," "104 Detailed Description of Item," and other sections described by *Hartman* are not the same as the auxiliary file of the claimed invention. As stated in *Hartman*:

Fig. 1A illustrates the display of a Web page describing an item that may be ordered. This example Web page was sent from the server system to the client system when the purchaser requested to review detailed information about the item. This example Web page contains a summary description section 101, a shopping cart section 102, a single-action ordering section 103, and a detailed description section 104..... The summary description and the detail description sections provide information that identifies and describes the item(s) that may be ordered. The shopping cart section provides the conventional capability to add the described item to a shopping cart. The server system adds the summary description, the detailed description and the shopping cart sections to each Web page for an item that may be ordered. (Emphasis added) (Col 4., lines 4-25).

Thus, *Hartman* discloses that the detailed product information requested by a user which is contained in the summary description section 101 and detail description sections on the Web page are sent to the client computer from the server system by querying and accessing the server. *Hartman* does not disclose or suggest that this information is obtained from an auxiliary file as in the claimed invention.

Hartman also does not disclose or suggest providing or sending a Web page to a client computer that includes several promotional items of merchandise as in the claimed invention. The method of the claimed invention produces a graphical depiction of one or more promotional items on a graphical user interface coupled to the client's computer. The method includes displaying descriptive data related to at least one of the promotional items in response to a request from the user. In contrast, as stated above, *Hartman* discloses sending a Web page to the client's computer that describes a single item. *Hartman* does not disclose or suggest sending a Web page from the server to the client's computer that includes more than one promotional item or product.

Furthermore, the claimed method includes a step of displaying descriptive data related to at least one of the promotional items which can be one, two or several of the promotional items displayed on the user's computer. The descriptive data, as stated above, is provided by the auxiliary file without accessing and querying the server. In contrast, *Hartman* does not disclose or suggest sending more than one promotional item to a client's computer and moreover, does not disclose or suggest displaying descriptive data relating to more than one promotional item or product. Additionally, *Hartman* does not disclose or suggest providing any descriptive data without accessing and querying the server.

Hartman therefore discloses sending a Web page for each promotional item or product that is requested by a user to the user's computer so that the user can obtain descriptive

information about that product. The claimed method, on the other hand, provides a single Web page containing several promotional items of merchandise or products to the user's computer so that the user can view a single Web page instead of several Web pages as in *Hartman*.

Moreover, the Web page sent to the user's computer in *Hartman*, includes detailed information about the item. Thus, the summary description section or detailed description section of the product is automatically provided to the user based on the request. In the claimed method, the descriptive data is not provided to the user when the Web page is sent to the user's computer. The user must still select one of the promotional items on the Web page to obtain the descriptive information on that item. Therefore, the contents of the auxiliary file of the claimed invention is not displayed to the user if the user does not select one of the items to view that information on that item (i.e., if no selection request is generated).

Contrary to the claimed invention, therefore, *Hartman* discloses sending a single Web page related to a single product to a user's computer where the information related to the product is obtained by accessing and querying the server. *Hartman* does not disclose or suggest sending a Web page including more than one promotional item or product, nor providing detailed information on one or more of the promotional products without accessing and querying the server.

Additionally, *Hartman* does not disclose how the contents of each of the sections, such as the summary description section, is accessed and displayed. If the Web page is described using a HTML format, the section is hyperlinked to another location, and the content of the clicked section is transferred from the server via the query to the server, similar to what is done with the single-action ordering section of *Hartman*. Applicants therefore submit that *Hartman* fails to disclose sending an auxiliary file to a client's computer where information about a promotional

item or product can be obtained from the auxiliary file without accessing and querying the server. The claimed invention is therefore distinguished from *Hartman*.

Furthermore, the Examiner states that *Hartman* teaches all of the elements of the claimed invention except for intermitting the descriptive data in a graphic depiction producing a parts explosion image of the promotional item and by clicking on an item that can be dragged and dropped in the selection panel.

The Examiner therefore relies on *Airnet* to teach the deficiencies of *Hartman*. *Airnet* is directed a parts information management system, which displays on a single screen, information related to products such as a hierarchical parts lists, prices, bulletins and exploded views of parts. *Airnet* specifically discloses that an image server displays images that contain hyperlinks to parts and assembly information stored in different data bases. For example, when a user clicks on a part displayed on the image server page, the corresponding part and assembly information is displayed to the user. The electronic catalog page of *Airnet*, as referred to by the Examiner, grabs each part as being linked to contents stored in a server via a hyperlink. *Airnet* therefore enables a user to click on a part and then retrieve the information on that part from a server and sends the information to the user's computer. Additionally, *Airnet* discloses that the part inventory information is stored in a relational database. *Airnet* therefore requires that the relational database and the image server are linked so that the information requested about a part by a user can be displayed on the user's computer. The user's computer therefore merely controls the display of the accessed data on the page when the access and query are made in response to the user clicking on a part. In contrast, in the claimed invention, the descriptive information on a promotional item or product is not retrieved from a server, but instead from an auxiliary file. Also, the claimed invention does not make a hyperlink to a Web page as in *Airnet*. Instead, the claimed invention accesses an auxiliary file without accessing or querying the server.

For all of the above reasons, Applicants submit that the combination of *Hartman*, *Airnet*, and *Dan* does not disclose, teach or suggest the subject matter of the claimed invention. Therefore, claim 1 and claims 2-12, which depend from claim 1, are each patentably distinguished over the combination of *Hartman*, *Airnet*, and *Dan* and in condition for allowance.


Amended claims 13, 14, 18, 22, 26, 30 and 33 each include similar elements to amended claim 1. Therefore, Applicants respectfully submit that claims 13, 14, 18, 22, 26, 30 and 33, and dependent claims 15-17, 19-21, 23-25, 27-29, 31-32 and 34-35 which depend from these claims, respectively, are each patentably distinguished over the combination of *Hartman*, *Airnet*, and *Dan* and in condition for allowance.

Claims 3, 15, 21 and 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of *Hartman*, *Airnet*, *Dan* and in further view of U.S. Patent No. 6,496,208 to Bernhardt et al. ("*Bernhardt*"). Claim 3 depends from amended claim 1. Claim 15 depends from amended claim 14. Claim 21 depends from amended claim 18 and claim 23 depends from amended claim 22. For at least the reasons provided above with respect to amended claim 1, Applicants submit that claims 3, 15, 21 and 23 are each patentably distinguished over the combination of *Hartman*, *Airnet*, *Dan* and *Bernhardt*. Additionally, claims 3, 15, 21 and 23 are patentably distinguished over the combination of *Hartman*, *Airnet*, *Dan* and *Bernhardt* because this combination does not disclose or suggest the novel subject matter of claims 3, 15, 21 and 23 in combination with the novel subject matter of amended claims 1, 14, 18 and 22, respectively.

In light of the above, Applicants respectfully submit that claims 1-35 are patentable and non-obvious over the art of record because the cited art does not disclose, teach or suggest the subject matter of the claimed invention. Accordingly, Applicants respectfully request that claims 1-35 be deemed allowable at this time and that a timely notice of allowance be issued in this case.

A check in the amount of \$790.00 is submitted with this Response to cover the fee for the RCE. If any other fees are due in connection with this application, the Patent Office is authorized to deduct the fees from Deposit Account No. 19-1351. If such withdrawal is made, please indicate the attorney docket number (39992-400700) on the account statement.

Respectfully submitted,

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